



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**  
**505 KAR 1:110**  
**3-JTS-3A-19-21; 5H-16**  
**3-JCRF-3A-12**  
**1-JDTP-3E-08**  
**1-JBC-3A-22-24**  
**4-JCF-2A-20, 22; 4C-63**  
**2-CO-3C-01**

<b>CHAPTER: Program Services</b>	<b>AUTHORITY: KRS 15A.0652</b>
<b>SUBJECT: Searches</b>	
<b>POLICY NUMBER: 325</b>	
<b>TOTAL PAGES: 4</b>	
<b>EFFECTIVE DATE: 1/04/2016</b>	
<b>APPROVAL: Bob D. Hayter, COMMISSIONER</b>	

## **I. POLICY**

Consistently applied search and screening practices are essential to the order and security of the facility. Searches of youth, visitors of youth, and facilities shall be designed to prevent the introduction of contraband, provide for its disposition, and to protect youth and staff. Indiscriminate body searches of juveniles are prohibited in all residential facilities. Upon a juvenile's admission to a facility, returning from an unsupervised setting, or whenever there is reason to believe that the security of the facility may be endangered or that contraband may be present in or introduced into the facility, the search of a juvenile and their possessions shall occur.

## **II. APPLICABILITY**

This policy shall be applicable to group homes, day treatments, and youth development centers.

### ***LIMITED APPLICABILITY***

*In DJJ operated day treatment programs the facility, grounds, youth, youth's visitors, and their personal belongings may be searched at any time. Only pat down searches and the use of metal detectors shall be permitted. Pat down and metal detector searches, shall be completed when the youth first arrives at the program in the morning, when they return at any point in the day, and whenever a youth is suspected or rumored to have contraband.*

*Superintendents shall ensure adequate staff is present to conduct morning searches. Pat down shall be documented in the search log and an incident report completed if contraband is discovered.*

## **III. DEFINITIONS**

Refer to Chapter 300.

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#### **IV. PROCEDURES**

- A. The search of a juvenile requires professional expertise and a humane and dignified demeanor on the part of the staff; therefore, staff shall be trained in proper search techniques.
- B. Staff shall conduct searches of juveniles in a professional and respectful manner to avoid harassment, indignity, embarrassment, and unnecessary use of force.
- C. Staff and youth shall be provided written procedures for searches. Search procedures shall be reviewed annually.
- D. Staff shall provide the individual being searched with a verbal overview of the procedure intended to be used.
- E. When possible searches shall be conducted by same gendered staff. Cross-gender searches shall only be conducted under exigent circumstances and shall be documented.
- F. General Procedures for Searches
  - 1. All searches shall be conducted in a professional manner, using techniques that avoid unnecessary force or indignity to persons involved in the search, while maintaining the integrity of the search.
  - 2. Staff shall be trained in search techniques designed to protect persons involved and preserve evidence.
  - 3. All facilities shall provide gloves and other needed equipment for searches that protect staff safety and ensure chain of custody for confiscated items.
- G. Pat down search
  - 1. If possible, two (2) staff that are the same gender as the youth shall conduct the pat down search. One (1) staff shall facilitate the process. The second staff person shall observe the process to verify that the correct procedures are followed.
  - 2. Staff shall have the juvenile remove shoes, jackets, sweaters, gloves and hats and staff shall complete an inspection of these items.
  - 3. A pat down search shall be conducted over the clothing including an inspection of the contents of all pockets.
  - 4. Staff shall visually check the juvenile's hair, ears, nose, mouth, and under tongue.
  - 5. Staff may use a metal detection wand as part of the pat down search
- H. Strip search

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1. Strip searches may be performed only with probable cause and authorization from the Director of Medical Services. An incident report shall be completed, documenting the probable cause.
2. A strip search shall always be performed by two (2) staff of the same gender or medical personnel.
3. A strip search shall be performed in an area that ensures the privacy and dignity of the juvenile.
4. Strip searches shall be performed to visually inspect the juvenile's body and physically search the juvenile's clothing.
5. If the intent is to view the total surface area of the body, the following shall be searched by having the juvenile gently lift each respective area:
  - a. Breasts;
  - b. Genitalia; and
  - c. Body Folds.
6. Strip search procedures shall be reviewed by the Director of Medical Services and the Superintendent.

#### **I. Body Cavity Search**

1. Outside medical providers shall be the only individuals authorized to conduct a body cavity search. Probable cause that a youth may be concealing contraband in a body cavity shall exist prior to the authorization of a body cavity search.
2. Authorization shall be required by the Superintendent and Director of Medical Services prior to a body cavity search.

#### **J. Visitors of Youth**

1. All visitors shall be required to be scanned with a metal detector.
2. If probable cause exists that a visitor is in possession of weapons or contraband, they shall be asked to submit to a pat down search or be denied entry.
3. If a pat down search is used on a visitor, or if a visitor is denied entry due to refusing a pat down search, it shall be documented on the shift report. The notation shall include the name of the visitor and a brief summary of the incident. The supervisor shall also be responsible for notifying the Superintendent of the incident and explanation of the incident. Reference DJJPP Chapter 3 "Family and Community Contacts Mail, Telephone, and Visitation".
4. Visitors who leave the visitation area shall be subject to search upon reentry.

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## **V. MONITORING MECHANISM**

The Superintendent and Facilities Regional Administrator shall monitor compliance with this policy. The Quality Assurance Branch shall conduct annual program audits.